



**Construction Advisory Committee
MINUTES**

**REGULAR MEETING
Tuesday, January 15, 2013**

**The Construction Advisory Committee convened in a regular meeting on Tuesday, January 15, 2013
One Texas Center, 505 Barton Springs Road, Public Works Director's Conference Room, 13th Floor**

Chair Prisant called the Board Meeting to order at 10:00 a.m.

Board Members in Attendance:

Carson Fisk
Martin A. Prisant
Suzanne Litz
Robert Drake
Calvin Williams

City Staff in Attendance:

Howard Lazarus, Director – Public Works Department
Jeannette Gilpin, Executive Assistant – Public Works Department
Jason Bybel, Project Manager – Public Works Department
Rosie Truelove, Director – Contract Management Department
Frank Mays, Division Manager – Contract Management Department
Edward Campos, Division Manager – Contract Management Department
Rick Wilson, Program Consultant – Contract Management Department
Veronica Lara, Director – Small and Minority Business Resources Department

1. CITIZEN COMMUNICATION: GENERAL

Christopher Willett, Attorney, Equal Justice Center

Issues they are concerned about regarding TX Code 22.58, improve process to obtain initial determination. Initial determinations are not being made within 30-days from the City. Rolando Fernandez will make a Prevailing Wage presentation at the February meeting. Committee Member Williams asked how many complaints are received per month. Frank Mays responded that in the last 3 years the City received 8-9 complaints on a project, not on individuals.

2. APPROVAL OF MINUTES

Minutes from the meeting of 11/20/12 were approved by board member Litz 's motion, member Williams seconded on a 5-0 vote.

3. NEW BUSINESS

- a. Introduction of new member Carson Fisk, attorney practicing Construction Law.

4. OLD BUSINESS

- a. Veronica Lara and Rosie Truelove presented the Quarterly Update of Outcomes of the SBE program as it is implemented. The SBE program was implemented in July 2011 for reserve bidding for contracts under \$50,000. There has been limited response to the project. Howard Lazarus stated that it was a challenge due to the cost limitation. Not many construction projects are under \$50,000 as per state statue. Ms. Litz asked how many applied that were not certified SBE. Ms. Lara stated that a small number were denied. Mr. Prisant stated that he would like to work the parameters and possibly waive some requirements to encourage participation in the program. Ms. Truelove mentioned that once you go above the \$50,000 cap there are different advertising requirements where you cannot restrict the applicants. Mr. Prisant is concerned with the type of company that gets to be SBE certified. Those companies need to be able to work as a prime on the contract to get experience with the City. Also, can the City provide additional smaller contracts to be under the \$50,000 limit? Ms. Lara and Ms. Truelove stated they would go back and look to see possible changes to small contracts. Mr. Prisant said that administering small contracts is a constraint. Can the City split some large contracts to test the program? Can we help the non-experienced companies with the City or subcontractors that now want to be primes to work with the City? Ms. Truelove will ask to get on a future agenda to present more detailed information. Mr. Lazarus stated that City staff should take another look and come back on what projects are available.
- b. Jason Bybel presented a WTP4 Update to include prevailing wage, wage compliance, rest break compliance, community workforce representation, and % complete of budget. The project is 58% complete, \$202 million earned and \$192 million paid that includes \$29 million granted in MBE/WBE contracts. Mr. Mays stated that there were no complaints for prevailing wage/wage compliance or with random site visits and audits. The project has exceeded goals of percent build. Ms. Litz asked about a rest break complaint and that code compliance investigated. Mr. Lazarus stated that the project has an exceptional safety record.
- c. Rick Wilson provided an update on the Contractors evaluation worksheet and JOC. Mr. Williams asked how committed the City is to this project. Mr. Lazarus responded it is a high priority. Ms. Truelove stated that now this program is being requested by Purchasing to be Citywide, not just for Construction contracts. Therefore it needs to be inclusive of other types of contracts. Mr. Williams stated that this program began as a response to wage compliance issues. Mr. Lazarus suggested that a recommendation memo to Council would be under the purview of this committee. Ms. Truelove gave the final draft is given to the committee and stated all that is needed is the green light from Purchasing and it will be Citywide or not at all. A memo of support to Council would help where it applies to Construction. Mr. Williams asked what happens to the form. Mr. Wilson responded that once the project manager completes the form the contractor has an opportunity to respond.

Mr. Williams stated that the contractor needs to be aware of the importance of the evaluation. Mr. Prisant requested that CMD email the consultant form and procedures. Mr. Prisant wants to the committee to be kept informed of the decision from Purchasing for implementation.

- d. Report of 311 calls for violation rest breaks or wage compliance and how they are being processed. (report only, no discussion)
- e. Review items to be included in the Year-End Committee Accomplishments memo to Council

5. DIRECTOR'S REPORT

- a. Contract Monitoring training
- b. Fiscal year 12 bond program
- c. Ribbon cuttings – Morris Williams Golf Course
- d. Financial forecast
- e. Safety – repaint PWD trucks Omaha Safety Orange
- f. PWD Training and Career Progression – include as agenda item for next meeting

6. NEXT MEETING (March 19, 2012)

7. ADJOURN

Meeting was adjourned at 11:45 a.m. by Chair Prisant.